

Cynthia A. Kitlinski
Robert J. O'Keefe
Darrel L. Peterson

Commissioner
Commissioner
Commissioner

In the Matter of the Petition of Certain
Subscribers in the Exchanges of Zimmerman,
Prescott, Waconia, Belle Plaine, North
Branch, Lindstrom, New Prague, Cambridge,
Hudson, Houlton, LeSueur, Cannon Falls,
Delano, Northfield, Buffalo and Watertown
for Extended Area Service to the
Minneapolis/St. Paul Metropolitan Calling
Area

ISSUE DATE: OCTOBER 12, 1987

DOCKET NO. P-421, P-405, P-407, P-430,
P-426, P-520, P-427/CI-87-76

ORDER ADDING DOCKETS TO
CONSOLIDATED DOCKETS

PROCEDURAL HISTORY

On March 20, 1987, the Minnesota Public Utilities Commission (the Commission) issued its Order Varying Rule, Order Consolidating Dockets and Notice and Order for Hearing (March 20 Order) in Docket No. P-421, P-405, P-407, P-430, P-426, P-520, P-427/CI-87-76. The March 20 Order consolidated the ten then pending petitions for extended area service (EAS) to the Minneapolis/St. Paul Metropolitan Calling Area (metro calling area) into one hearing process.

On June 11, 1987, the Commission received a petition for EAS to the metro calling area from subscribers in the Northfield exchange. The Northfield petition was assigned Docket No. P-421/CP-87-352. The Northfield exchange, which is located in the Rochester LATA, is served by Northwestern Bell Telephone Company (NWB).

On July 1, 1987, the Minnesota Department of Public Service (DPS) submitted to the Commission a letter recommending that the Northfield petition be included in the consolidated metro EAS proceeding. The DPS stated that the Northfield EAS petition involves the same general policy considerations as the other metro EAS petitions in the consolidated proceeding. The DPS added that inclusion of the Northfield petition would not delay or impair the consolidated proceeding.

On July 9, 1987, the Commission received NWB's response to the DPS's recommendation. NWB stated that its case preparation has proceeded to the point that it would likely be unable to fully address some of the significant issues regarding EAS to Northfield.

On August 6, 1987, the DPS received a petition for EAS to the metro calling area from subscribers

petition sponsor requested that the petition be included in the consolidated metro EAS proceeding. The Watertown petition was assigned Docket No. P-421, P-407/CP-87-536. The Watertown exchange is served by Continental Telephone Company (Contel).

FINDINGS AND CONCLUSIONS

In the March 20 Order at page four the Commission stated, "Because all of the petitions are for EAS to the metro calling area, there are common issues that can best be addressed in a consolidated proceeding. Not only is it more economical, but individual proceedings would not provide the broad public interest information needed to assess the impact of a potential expansion of the metro calling area as a result of the petitions." At page six of the March 20 Order, the Commission also recognized that additional petitions for EAS to the metro calling area might be filed and could be consolidated in the metro EAS proceeding. The Commission finds that including the Northfield, Buffalo and Watertown EAS petitions in the metro EAS proceeding would be consistent with the Commission's findings in the March 20 Order.

A second pre-hearing conference in the consolidated metro EAS proceeding was held July 21, 1987, before Administrative Law Judge Richard DeLong. At the prehearing conference, the ALJ asked if there were any objections to including the Northfield petition in the consolidated proceeding. The Commission finds that no party objected.

On August 4, 1987, the ALJ issued his Prehearing Order. In that order, the ALJ established August 21, 1987 as the new final date for intervention. The Commission finds that the Northfield, Buffalo and Watertown petitions were filed before the new deadline for intervention established by the ALJ. Because the three petitions were filed prior to the deadline for intervention, interested parties to the petitions and the metro EAS proceeding would not be at a disadvantage if the Northfield, Buffalo and Watertown petitions were included in the consolidated metro EAS proceeding. Moreover, the three petitions appear to raise issues common to the other petitions already consolidated in this proceeding and resolution of the metro proceeding will affect the rights of the Northfield, Buffalo and Watertown petitioners.

For the above reasons, the Commission concludes that it will consolidate the Northfield, Buffalo and Watertown petitions for EAS to the metro calling area into the metro EAS proceeding. The Commission reminds parties that, while the Northfield, Buffalo and Watertown petitions will be included in the metro EAS proceeding, the information required under the EAS rules, specifically Minn. Rules, parts 7815.0700 through 7815.1000, still needs to be developed for inclusion in the record of the metro EAS proceeding. Parties are encouraged to prepare the required information as called for under the rules so that it is available for inclusion in the record at the appropriate time, as discussed in the March 20 Order.

Watertown petitions in the metro EAS proceeding. For the benefit of all parties, the Commission wishes to note that these will be the last petitions to be consolidated into the metro EAS proceeding.

In his August 4, 1987, Prehearing Order, the Administrative Law Judge assigned to this proceeding three scheduled future filings and hearings in this matter. A copy of the Prehearing Order may be obtained from the Administrative Law Judge:

Richard DeLong
Office of Administrative Hearings
400 Summit Bank Building
310 South 4th Avenue
Minneapolis, Minnesota 55415
612/341-7604

ORDER

1. The petitions of certain subscribers in the Northfield, Buffalo and Watertown exchanges for extended area service to the Minneapolis/St. Paul Metropolitan Area, Docket Nos. P-421/CP-87-352, P-421/CP-87-506, and P-421, P-407/CP-87-536, respectively, are hereby consolidated into Docket No. P-421, P-405, P-407, P-430, P-426, P-520, P-427/CI-87-76.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Mary Ellen Hennen
Executive Secretary

(S E A L)